REMARKS

Claims 1, 5-14, 18-25 and 29-38 are pending in the present application. Claims 1, 5-14, 18-25 and 29-38 have been examined and are rejected. In the above amendments, claims 1, 5, 8-11, 14, 18, 21-25, 29 and 32-28 have been amended. Therefore, after entry of the above amendments, claims 1, 5-14, 18-25 and 29-38 will be pending in this application. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Rejection of Claims 1, 5-14, 18-25 and 29-38 Under 35 U.S.C. §103(a)

Claims 1, 5-14, 18-25 and 29-38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Baker *et al* (U.S. Patent No. 6,556,838).

Claim 1 of the present application, as amended, recites:

> "A method comprising:
> receiving power control instructions via a first link in a first plurality of frames;
> keeping a running history, up to a predetermined length, of the received power control instructions; and
> generating power control bits for transmission via a second link in a second plurality of frames, the power control bits being generated based at least in part on the running history being kept for the power control instructions received via the first link, wherein m "zero" value power control bits and n "one" value power control bits are generated for each batch formed with a subset of the second plurality of frames, with m and n being integers determined based on number of power control instructions with "0" value and number of power control instructions with "1" value in the running history."

Applicant submits that claim 1 is patentable over Baker for at least the following reasons.

First, Baker does not disclose "<u>generating power control bits for transmission via a second link</u> ... <u>based at least in part on</u> the running history being kept for the <u>power control instructions received via the first link</u>," as recited in claim 1. In Baker, a mobile station (MS) **110** receives power control commands from a base station (BS) **100**. In the method shown in FIG. 2 of Baker, MS **110** waits until G power control commands have been received on the

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reverse link from BS **100** and then "determines if it should <u>adjust its power</u> based on the received power control commands." (See column 4, lines 49-51.) MS **110** does not <u>generate power control bits</u> to send on the forward link to BS **100** based on the power control commands received on the reverse link. In Baker, <u>a first station</u> receives power control commands from a second station and <u>adjusts its transmit power</u>. In claim 1, a first station receives power control commands from a second station and generates power control bits, which may be used by <u>the second station</u> to <u>adjust its transmit power</u>. Baker describes different processing based on the received power control commands and achieves different results. Thus, Baker does not describe this feature of claim 1.

Second, Baker does not disclose "wherein <u>m "zero" value power control bits and n "one" value power control bits are generated for each batch</u>," as recited in claim 1. Baker does not describe MS 110 generating power control commands for a <u>batch of frames</u> to be transmitted.

Third, Baker does not disclose "<u>with m and n being integers determined based on number of power control instructions with "0" value and number of power control instructions with "1" value in the running history</u>," as recited in claim 1. Baker describes MS **110** determining a <u>power control step size</u> based on the values of the received power control commands and adjusting its transmit power based on this power control step size. Baker does <u>not</u> describe MS **110** generating a certain number of power control bits with "zero" value and a certain number of power control bits with "one" value based on the received power control commands, a recited in claim 1.

For at least the above reasons, Applicant submits that claim 1 is patentable over Baker. Claims 5-13 are dependent on claim 1 and are patentable over Baker for at least the reasons noted for base claim 1. These dependent claims may recite additional features not disclosed by Baker.

The rejection states that "Baker lacks a teaching of the specific meaning of the two bits" and that "it would have been obvious to one of ordinary skill in the art that the performance of the invention would not depend upon specific meaning assigned to the two power control bits." Applicant respectfully submits that this assertion is without basis and is not true with regard to the present application. As described in the present application, a running history of "01" or "10" implies that one "1" power control instruction and one "0" power control instruction were received in two frames, and hence equal number of "one"

value power control bits and "zero" value power control bits should be sent if possible. The number of "1" and the number of "0" power control instructions received may be indicative of the channel conditions, and the number of "one" and the number of "zero" power control bits to send should be based on the number of received "1" and "0" power control instructions.

Independent claims 14, 25 and 36-38 have each been amended to recite the features noted above for claim 1. Claims 18-24 are dependent on claim 14, and claims 29-35 are dependent on claim 25. Claim 14, 18-25 and 29-38 are patentable over Baker for at least the reasons noted for claim 1

Accordingly, the §103(a) rejection of claims 1, 5-14, 18-25 and 29-38 should be withdrawn.

CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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